

## **REMARKS**

This Response is submitted in reply to the Office Action dated August 4, 2006, issued in connection with the above-identified application. Claims 1-18 and 35 are all the claims presently pending in the application. Claims 19-34 have been withdrawn from consideration. With this Response, claims 1, 4-7, 11, 14-17 and 35 have been amended; and claims 19-34 have been canceled without prejudice. No new matter has been introduced by this Response. Thus, favorable reconsideration is respectfully requested.

### **I. Formalities**

At the outset, the Applicants thank Examiner Siddiqi for speaking with the Applicants' representative on September 26, 2006, regarding the §112 rejections and the Ginter reference. During the conversation, the Applicants' representative more clearly identified support for the recited "recording control step or means" in the application. Additionally, deficiencies in the Ginter reference were also discussed. The Examiner suggested that the arguments regarding the Ginter reference be presented in a formal response to the Office Action.

### **II. Response To § 112 Rejections**

Claims 1 and 14 stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement under U.S. Patent Law. More specifically, the Examiner alleges that claims 1 and 14 recite a "controlling recording means," which is only vaguely described in paragraphs 11-26 of the specification. All the pending claims were rejected under 35 U.S.C. §112, second paragraph, for containing various grammatical errors. Additionally, claim 1 was further rejected under 35 U.S.C. §112, second paragraph, for being indefinite. In particular, the Examiner alleges that the term "controlling recording" is not clearly defined in the specification.

With regard to the §112, first paragraph rejections to claims 1, 14-16 and 35 (similarly for the §112, second paragraph rejection for claim 1), the Applicants maintain that the "controlling recording means" is adequately described in the specification. For example, page 36, lines 20-22 of the application clearly describes the "CPU 51 of the controller 16 receiving input of the serial No. and the user ID from the user server 11, correlating the same, and *registering* the information in the community information database 22." Moreover, additional information is also available in the remaining detailed description of Fig. 7 (see, Applicants'

Application, page 36, line 3-page 37, line 17). Thus, there appear to be sufficient detail in the specification to clearly convey possession of the claimed “controlling recording means” at the time the application was filed.

The Applicants have also amended claims 1, 4-7, 14-17 and 35 to more clearly define the invention, as suggested by the Examiner.

Based on the foregoing, the §112 rejections are believed to be overcome, and the Applicants respectfully request that the rejections be withdrawn.

### **III. Response To § 103 Rejections**

Claims 1-18 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Clark (U.S. Patent No. 6,351,738, hereafter “Clark”) in view of Ginter et al. (U.S. Patent No. 6,658,568, hereafter “Ginter”). The Applicants respectfully traverse the above rejections for the following reasons.

The present invention is directed to an information processing device and method that enables a more efficient exchange of information and merchandise between individuals and corporations, via a community. The individuals or users, which are part of the community, may share common interests and objects. Using the present invention, the users can perform transactions with the corporations without the need to disclose personal information. Additionally, the corporations may target individuals based on these transactions to transmit advertisements or questionnaires without knowing any personal information (e.g. identity of the user).

In pertinent part, the present invention implements a “substituting step or means for substituting personal information of a user contained in a first information ...with a second information corresponding to the personal information of the user on a one-to-one basis” (see, Applicants’ Application, Fig. 7 and page 36, line 3-page 37, line 17). The first information can be used to correlate with particular users. Additionally, a corporation can use the first information for targeting particular users without knowing a user’s personal information (e.g., a user’s identity or e-mail address). None of the prior art appears to teach or suggest this feature of the present invention.

Specifically, neither Clark nor Ginter teach or suggest a “substituting step or means for substituting personal information of a user contained in a first information ...with a second

information corresponding to the personal information of the user on a one-to-one basis.” This feature of the present invention is clearly recited in independent claim 1 and similarly recited in independent claims 14-16 and 35.

Clark discloses generally a collective business system that includes participants engaged in common fields of business endeavor. As correctly noted by the Examiner, Clark fails to teach or suggest the “substitute step or means” of the present invention (see, Office Action, pages 5-6). The Examiner, however, relies on Ginter for teaching or suggesting the claim “substitute step or means” recited in the above claims. After a detailed review of Ginter, the Applicants respectfully disagree.

Ginter discloses a trusted infrastructure support system that provides secure, automated transaction processing for use in electronic commerce. The Examiner, in particular, relies on Figures 17A-17F, col. 28, lines 37-49; col. 32, line 7; and col. 76, lines 45-65 of Ginter for teaching or suggesting the “substitute step or means” of the present invention.

However, Ginter merely describes protecting a consumer’s identity by not revealing personal information to a usage clearinghouse. Specifically, the usage clearinghouse 300 provides a summary report 304b to advertisers 306 that does not reveal the consumer’s identity, but provides the advertisers with valuable information about consumer’s viewing habits. Additionally, it appears that consent must be given by the users to reveal their identity (see, Ginter, col. 28, lines 40-49). Thus, the advertiser cannot target particular users without first getting the consent of a user to reveal their identity. Conversely, the recited “substitute step or means” includes an active step of substituting personal information with information that corresponds to the personal information. The substituted information can be used to target an individual without revealing the user’s identity or other personal information.

Additionally, col. 32, line 7 of Ginter discloses only how users can conduct transactions for purchasing merchandise. There is no teaching or suggestion of substituting personal information with any other type of information. Finally col. 76, lines 45-65 of Ginter describe the use of a “rights template.” The rights template allows a rights holder to define the rights associated with accessing a particular digital property. An example template is illustrated more clearly in Fig. 45A. As illustrated in Fig. 45A, the template includes a list of defined rights for accessing a property such as “unconditional permission,” “permission conditional on payment,”

“permission based on content” and the like. However, there is no mention of using personal information of a user, let alone substituting personal information of a user with other information as part of a transaction between a user and the rights holder.

To this end, Ginter can not render obvious the “substitution step or means” of the present invention. Accordingly, even if it were appropriate to combine the teachings of Clark and Ginter, the combination still does not teach or suggest all the cited features in independent claims 1, and 14-16 and 35. Likewise, dependent claim 2-13 and 17-18 are also believed to be distinguishable over Clark in view of Ginter based on their dependency from independent claims 1 and 16.

#### **IV. Conclusion**

In light of the above, the Applicants respectfully submit that all the claims in the present application are patentable over the prior art of record. Therefore, the Applicants respectfully request that a timely Notice of Allowance be issued in this case. If additionally fees are due in connection with this application as a whole, the Director is authorized to deduct such fees from deposit account no. 02-1818.

Respectfully submitted,

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